



THE UNITED STATES PATENT AND TRADEMARK OFFICE

In RE: Patent Application of JAMES *et al.*

Serial No.: 10/576,936

Filed: April 24, 2006

For: PROCESS

**PETITION UNDER 37 C.F.R. § 1.47**

U.S. Patent and Trademark Office  
Customer Window, **Mail Stop Petition**  
Randolph Building  
Alexandria, VA 22314

Sir:

The applicants petition under 37 C.F.R. § 1.47 for acceptance of this application on the basis of the attached declaration as signed by one of the two joint inventors for himself and the second joint inventor who has refused to sign the declaration and related assignment of this application.

More specifically, Mark Robert James has signed the declaration for himself and for David John Cottrell whose former residence, Post Office Address and citizenship are set forth in the declaration. It is noted that Mr. Cottrell is now deceased, his death occurring subsequent to his having firmly established a refusal to sign the declaration.

A declaration by Amanda J. Collier, confirming Mr. Cottrell's refusal to sign the application declaration and in support of this petition, is attached.

It is respectfully requested that the application papers be accepted as complete for examination purposes, notwithstanding Mr. Cottrell's refusal to sign the declaration.

Please charge the fee for this petition (*i.e.*, a fee of \$ 200.00 as specified in 37 C.F.R. § 1.17(g)) and other fees that may be due as a consequence, against Deposit Account 50-0310 (Order No. 066079-5128).

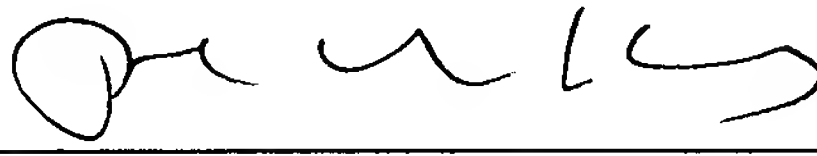
01/22/2007 SZEWDIE1 00000124 500310 10576936  
01 FC:1463 200.00 DA

Attorney Docket 066079-5128  
Application No. 10/576.936  
Page 2

Favorable action on this petition is requested.

Respectfully submitted,

MORGAN LEWIS & BACCHIUS LLP

By \_\_\_\_\_

Paul N. Kokulis

Reg. No. 16773

Date: January 19, 2007

**Customer No. 09629**

1111 Pennsylvania Avenue, N.W.

Washington, D.C. 20004

Phone: (202) 739-3000

Facsimile: (202) 739-3001

Direct: (202) 739-5455



SMC 60622/UST

**COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY**U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

ATTORNEY DOCKET NO.: -

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Process for etching metal and alloy surfaces

The specification of which:

is attached hereto; or

was filed as United States application Serial No. \_\_\_\_ on \_\_\_\_ and was amended on \_\_\_\_ (if applicable); or

was filed as PCT international application Number PCT/GB2004/004186 on 01/10/2004 and was amended under PCT Article 19

On \_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office information which is material to the patentability of claims presented in this application in accordance with Title 37, Code of Federal Regulations Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate or Section 365(a) of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign applications(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

**PRIOR FOREIGN APPLICATION(S):**

COUNTRY (if PCT, indicate PCT)	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED
United Kingdom	0324947.1	25/10/2003	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

**Combined Declaration for Patent Application and Power of Attorney - (Continued)**  
 (includes Reference to PCT International Applications)  
 ATTORNEY DOCKET NO.: -

I hereby claim the benefits under Title 35, United States Code Section 119(e) of any United States provisional application(s) listed below.

**U.S. PROVISIONAL APPLICATIONS**

U.S. PROVISIONAL APPLICATION NO.

U.S. FILING DATE:

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) or Section 365(c) of any PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to the patentability of claims presented in this application in accordance with Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

**PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT:**

U.S. OR PCT INTERNATIONAL APPLICATIONS		STATUS (Check One)		
APPLICATION NO.	FILING DATE	PATENTED	PENDING	ABANDONED
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the registered practitioners of Morgan, Lewis & Bockius LLP included in the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and direct that all correspondence be addressed to that Customer Number.

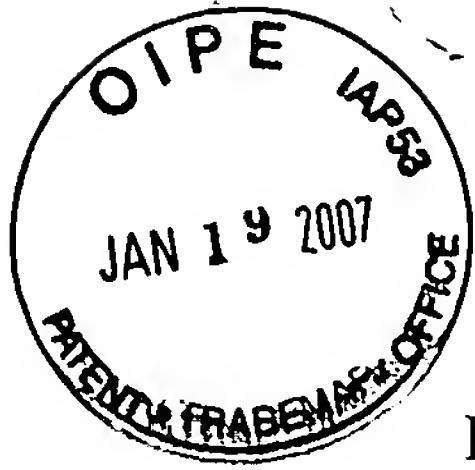
Customer Number: **09629**

Direct Telephone Calls To:

**202-739-3000**

Combined Declaration for Patent Application and Power of Attorney - (Continued) (includes Reference to PCT International Applications) ATTORNEY DOCKET NO.: -		
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.		
FULL NAME OF SOLE OR FIRST INVENTOR	JAMES, Mark Robert	
RESIDENCE & CITIZENSHIP	United Kingdom	COUNTRY OF CITIZENSHIP United Kingdom
POST OFFICE ADDRESS	2 Nerquis Close, Romsey, Hampshire, SO51 7LU	
FIRST OR SOLE INVENTOR'S SIGNATURE	DATE 15 January 2007	
FULL NAME OF SECOND INVENTOR	COTTRELL, David John	
RESIDENCE & CITIZENSHIP	United Kingdom	COUNTRY OF CITIZENSHIP United Kingdom
POST OFFICE ADDRESS	12 Linksway, Upton-by-Chester, Chester, CH2 1EA	
SECOND INVENTOR'S SIGNATURE	DATE	

Listing of Inventors Continued on attached page(s): ☐ Yes ☐ No



PATENT  
Attorney Docket No. 066079-5128-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In RE: Patent Application of )  
Inventors: JAMES *et al.* )  
Serial No.: 10/576.936 ) Group Art Unit: unassigned  
Filed: April 24, 2006 ) Examiner: unassigned  
For: PROCESS )

**DECLARATION OF AMANDA COLLIER**

U.S. Patent and Trademark Office  
Customer Window, **Mail Stop Petition**  
Randolph Building  
Alexandria, VA 22314

Sir:

I, Amanda Collier, declare as follows:

1. I am a formalities specialist in the patent department at Fujifilm Imaging Colorants Limited (hereinafter "Fujifilm"), a company located in Manchester, England and formerly known as Avecia Inkjet Limited, a part of Avecia Limited, both also of Manchester, England. I have acted in this capacity for Avecia Limited and Avecia Inkjet Limited and now for Fujifilm.

2. In my position as a formalities specialist for the two Avecia entities and Fujifilm, I have acted as liaison on patent matters, interacting with the in-house patent attorneys of the Avecias and Fujifilm, as well as with company inventors and patent law firms or agencies in countries outside the United Kingdom (e.g. Morgan Lewis & Bockius in the United States). My duties include attending to the filing of patent applications in the UK and follow-up filings in foreign countries such as the United States. These foreign filings are usually, although not always, based on PCT applications first filed in the UK.



3. As part of my duties, I am aware that PCT/GB2004/004186 was filed in the UK on October 1, 2004 by John Mayall of the Intellectual Property Group of Avecia Limited, naming Mark Robert James and David John Cottrell as joint inventors.

4. I note that, while PCT/GB2004/004186 was filed in the name of Avecia Limited, Avecia Limited assigned its rights in the invention to Avecia Inkjet Limited, as shown by Notification of the Recording of a Change from the International Bureau of WIPO on May 23, 2005, a copy of which is attached as Exhibit 1. Thereafter, Avecia Inkjet Limited changed its name to Fujifilm Imaging Colorants Limited, a Notification of the Recording of a Change being recorded by the International Bureau of WIPO on March 28, 2006, copy of said Notification being attached as Exhibit 2.

5. Since PCT/GB2004/004186 was based on a UK priority filing of October 25, 2003, national phase filings based on the PCT filing were due on April 25, 2006.

6. Accordingly, I was instructed by John Mayall, now part of the Intellectual Property Group of Fujifilm, and the attorney responsible for filing the PCT application, to attend to the filing of national phase filings in various countries including the U.S. Attached hereto as Exhibit 3 is a copy of letter dated April 11, 2006 to Morgan Lewis & Bockius from Gail Shepherd, who worked with me in the filing of patent applications and in attending to other formal matters for the Intellectual Property Group of Fujifilm. The U.S. national phase filing was accomplished on April 24, 2006 as shown by the attached letter dated April 24, 2006 (Exhibit 4) from Paul Kokulis of Morgan Lewis to Gail Shepherd.

7. As part of the U.S. national phase filings, it was necessary to obtain an application declaration and assignment signed by the inventors. I was able to obtain a signed declaration and assignment from one of the named inventors, Mark R. James, but not from the other named inventor, David Cottrell. Both inventors had been terminated prior to Avecia Inkjet Limited becoming Fujifilm.

8. On April 21, 2006, I sent the application with declaration and assignment to David Cottrell at his address of record in the company files requesting that he sign the declaration and assignment. A copy of my April 21, 2006 letter to Mr. Cottrell is attached as Exhibit 5.

9. By letter dated May 11, 2006, I forwarded the declaration and assignment signed by Mr. James to Morgan Lewis for use in completing the U.S. filing. Copy of that letter is

attached as Exhibit 6. The letter indicates that I was still awaiting the declaration and assignment from Mr. Cottrell.

10. I note that both inventors were bound by the terms of their employment to assign any and all inventions they made during their employment to Avecia Limited and to sign all papers necessary to complete the filing of any applications and record ownership.

11. Not having heard from Mr. Cottrell in response to my letter of April 21, 2006, I sent him a reminder letter on June 7, 2006, copy attached as Exhibit 7.

12. I note that, after not hearing from Mr. Cottrell in response to my first two letters, I checked the address to which the letters had been sent with the Human Resources Department, who informed me that Mr. Cottrell had moved from number 16 to number 12 Linksway (the same street). We do not know whether the postal service subsequently forwarded the letters to Mr. Cottrell. In any event, I sent Mr. Cottrell another reminder letter on June 29, 2006 at his new address, copy attached as Exhibit 8.

13. After not hearing from Mr. Cottrell in response to my June 29, 2006 letter, I sent to Mr. Cottrell a third reminder letter, copy attached as Exhibit 9.

14. Again, not having heard from Mr. Cottrell, I sent him a fourth reminder letter on August 23, 2006, copy attached as Exhibit 10.

15. David Cottrell responded to the aforementioned letters by e-mail on September 1, 2006, confirming that he would not sign the declaration and noting that the patent concerned was developed a few weeks before he was made redundant by Avecia Limited, which, as noted above, occurred before Avecia Limited's rights in the invention were assigned first to Avecia Inkjet Limited and then to Fujifilm. A copy of Mr. Cottrell's e-mail is attached as Exhibit 11.

16. After receiving the e-mail from Mr. Cottrell, a letter was sent on September 7, 2006 by Mr. Gordon Ellis of the Fujifilm Intellectual Property Group (formerly the Avecia Limited Intellectual Property Group) to Paul Kokulis of Morgan Lewis, advising Mr. Kokulis that Mr. Cottrell was unwilling to sign the declaration forms. The letter further informed Mr. Kokulis that Mr. Cottrell's inventive input occurred in 2003 while Mr. Cottrell was employed by Avecia Limited and that Mr. Cottrell's contract of employment, as well as United Kingdom law governing employee's inventions, specified that Mr. Cottrell's interest in the invention should belong to Avecia Limited. A copy of Mr. Ellis' letter of September 7, 2006 is also attached as Exhibit 12.



17. For some reason, Mr. Ellis' letter of September 7, 2006 was not received by Mr. Kokulis. When the Notice to File Missing Parts requiring the filing of the declaration signed by the inventors was received by Morgan Lewis and the application file reviewed for response, it was noted that the declaration signed by Cottrell had never been received. Mr. Kokulis accordingly sent an e-mail inquiry about the status of the Cottrell declaration on January 4, 2007, copy of said e-mail being attached as Exhibit 13.

18. I responded to Mr. Kokulis on January 5, 2007 by e-mail (copy attached as Exhibit 14) advising him that Gordon Ellis had written to him on September 7, 2006 explaining the situation regarding Mr. Cottrell. My e-mail also noted that, in the meantime, Mr. Cottrell had died just before Christmas.

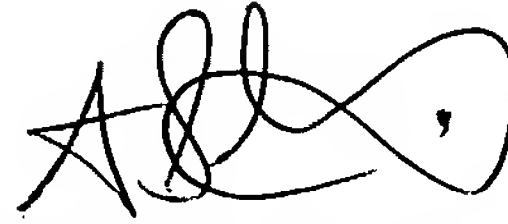
19. As a result of my e-mail response to Mr. Kokulis, it became evident that until that point he was not aware of Mr. Cottrell's refusal to sign the declaration and assignment, notwithstanding his obligation to do so. Accordingly, following subsequent telephone conversation between Mr. Kokulis and Mr. Parlett of the Fujifilm Intellectual Property Group, in the absence of Gordon Ellis, I forwarded to Mr. Kokulis copies of the letters I had sent to Mr. Cottrell along with a copy of Mr. Ellis missing letter of September 7, 2006. A copy of my forwarding letter is attached as Exhibit 15.

20. I understand that this declaration is to be used in support of a petition to accept the U.S. application as filed on April 24, 2006 under the provisions of 37 C.F.R. § 1.47 on the basis of Mr. Cottrell's refusal to sign the application papers notwithstanding his contractual obligations to do so. I note in this regard that Mr. Kokulis has asked if it might be possible to have Mr. Cottrell's heirs or executor sign the declaration and assignment on his behalf. However, Mr. Kokulis was advised that it did not seem appropriate to ask the executor or heir to do this particularly in view of Mr. Cottrell's refusal to sign the papers while he was alive.

21. I note that the last known address of David Cottrell, a citizen of the United Kingdom, is shown in my correspondence with him, i.e.: 12 Linksway, Upton-by-Chester, Cheshire CH2 1EA.

22. The undersigned declares that all statements made herein of my personal knowledge are true and that all statements made on information and belief are believed true; and further that these statement were made with the knowledge that any willful false statements are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States

Code and that any willful false statements may jeopardize the validity of said application or patent issuing therefrom.

A handwritten signature in black ink, appearing to read 'AJC', written over a horizontal line.

Amanda J. Collier

Date: 15 January '07

# PATENT COOPERATION TREATY

PCT/GB2004/004186

File

PCT

## NOTIFICATION OF THE RECORDING OF A CHANGE

(PCT Rule 92bis.1 and  
Administrative Instructions, Section 422)

From the INTERNATIONAL BUREAU

To:

MAYALL, John  
Avecia Inkjet Limited  
Intellectual Property Group  
PO Box 42  
Hexagon Tower  
Blackley, Manchester M9 8ZS  
United Kingdom

Date of mailing (day/month/year)

23 May 2005 (23.05.2005)

Applicant's or agent's file reference

SMC 60622/WO

International application No.

PCT/GB2004/004186

### IMPORTANT NOTIFICATION

International filing date (day/month/year)

01 October 2004 (01.10.2004)

1. The following indications appeared on record concerning:



the applicant



the inventor



the agent



the common representative

Name and Address

AVECIA LIMITED  
Hexagon House  
Blackley  
Manchester M9 8ZS  
United Kingdom

State of Nationality

GB

State of Residence

GB

Telephone No.

Facsimile No.

Teleprinter No.

2. The International Bureau hereby notifies the applicant that the following change has been recorded concerning:



the person



the name



the address



the nationality



the residence

Name and Address

AVECIA INKJET LIMITED  
PO Box 42  
Hexagon Tower  
Blackley, Manchester M9 8ZS  
United Kingdom

State of Nationality

GB

State of Residence

GB

Telephone No.

Facsimile No.

Teleprinter No.

3. Further observations, if necessary:

4. A copy of this notification has been sent to:



the receiving Office



the International Searching Authority



the International Preliminary Examining Authority



the designated Offices concerned



the elected Offices concerned



other:

The International Bureau of WIPO  
34, chemin des Colombettes  
1211 Geneva 20, Switzerland

Facsimile No. (41-22) 338.89.65

Authorized officer

Peggy Steunenberg

Telephone No. (41-22) 338 9482

BEST AVAILABLE COPY

## PATENT COOPERATION TREATY

PCT

NOTIFICATION OF THE RECORDING  
OF A CHANGE(PCT Rule 92bis.1 and  
Administrative Instructions, Section 422)

From the INTERNATIONAL BUREAU

To:

I.P. GROUP  
RECEIVED

- 3 APR 2006

MAYALL, John  
FUJIFILM Imaging Colorants Limited  
Intellectual Property Group  
PO Box 42  
Hexagon Tower  
Blackley, Manchester M9 8ZS  
United Kingdom

Date of mailing (day/month/year) 28 March 2006 (28.03.2006)	IMPORTANT NOTIFICATION
Applicant's or agent's file reference SMC 60622/WO	
International application No. PCT/GB2004/004186	International filing date (day/month/year) 01 October 2004 (01.10.2004)

1. The following indications appeared on record concerning:

☒ the applicant
                 
 ☐ the inventor
                 
 ☐ the agent
                 
 ☐ the common representative

Name and Address

AVECIA INKJET LIMITED  
PO Box 42  
Hexagon Tower  
Blackley, Manchester M9 8ZS  
United Kingdom

State of Nationality

GB

State of Residence

GB

Telephone No.

Facsimile No.

Teleprinter No.

2. The International Bureau hereby notifies the applicant that the following change has been recorded concerning:

☐ the person
                 
 ☒ the name
                 
 ☐ the address
                 
 ☐ the nationality
                 
 ☐ the residence

Name and Address

FUJIFILM Imaging Colorants Limited  
PO Box 42  
Hexagon Tower  
Blackley, Manchester M9 8ZS  
United Kingdom

State of Nationality

GB

State of Residence

GB

Telephone No.

Facsimile No.

Teleprinter No.

3. Further observations, if necessary:

Please note that the address of the agent has also been changed, as indicated in the  
addressee box on top of this form.

4. A copy of this notification has been sent to:

☒ the receiving Office
                 
 ☐ the designated Offices concerned  
☐ the International Searching Authority
                 
 ☒ the elected Offices concerned  
☐ the International Preliminary Examining Authority
                 
 ☐ other:
The International Bureau of WIPO  
34, chemin des Colombettes  
1211 Geneva 20, Switzerland

Facsimile No. (41-22) 338.89.65

Authorized officer

Franck CHICHER

Telephone No. (41-22) 338 8048

**FUJIFILM IMAGING COLORANTS LIMITED**

PO BOX 42 HEXAGON TOWER  
BLACKLEY MANCHESTER UK M9 8ZS  
TEL: +44 (0)161 740 1460  
FAX: +44 (0)161 795 6005  
www.fujifilmimagingcolorants.com

*PNK*  
*DAW*

Morgan, Lewis and Bockius  
1111 Pennsylvania Avenue, NW  
Washington, DC 20004  
USA

**BY DIRECT COURIER**

Our ref	Direct Tel No.	Direct Fax No.	Date
GS/AJC	0161 721 1362/2239	0161 721 5801	11 April 2006
SMC 60622/UST			

Dear Sirs

**FUJIFILM CASE NO: SMC 60622/UST**  
**PCT APPLICATION NO: PCT/GB2004/004186 - NATIONAL PHASE ENTRY**  
**FIRST PRIORITY DATE: 25/10/2003**  
**APPLICANT(S): Fujifilm Imaging Colorants Limited**  
**INTERNATIONAL PUBLICATION NUMBER: WO 05/045098**

Please enter the National Phase under PCT Chapter II in USA before 30 months after the first priority date noted above or before expiry of any later time limit permitted by local law. Please also ensure that all necessary documents are filed and that all necessary steps are taken to secure full national rights in your country.

Copies of the documents noted below are enclosed herewith or will be sent later, as indicated by the checked boxes.

**To minimise claim fees and remove unallowable dependencies, we enclose an amended set of claims for filing with the above application by way of a Preliminary Amendment (MLB fixed charge of \$300).**

If you are unable to obtain instructions from Fujifilm Imaging Colorants Limited you are authorised to take all necessary steps to keep the application alive.

The Letters Patent should be sent to Fujifilm Imaging Colorants Limited at the above address and we shall then arrange to take over the responsibility for the payment of any further renewal fees and let you know when fee payment ceases to be your responsibility.

We also wish to appoint you as agent and Address for Service in respect of this patent application for USA.

Your debit notes, all correspondence and all official documents should be sent to the above address.

**RECEIVED**

**APR 13 2006**

**MORGAN, LEWIS & BOCKIUS LLP**

**Please acknowledge immediately by Facsimile safe receipt of these instructions and all enclosed documents.**

**Please advise immediately by Facsimile if you require any further documentation.**

Yours faithfully



Gail Shepherd  
Procedural Law Unit  
Intellectual Property Group

Direct e-mail - [gail.shepherd@fujifilmic.com](mailto:gail.shepherd@fujifilmic.com) or [amanda.collier@fujifilmic.com](mailto:amanda.collier@fujifilmic.com)

Enc.

Document	Enclosed	To Follow
Specification, claims and abstract as originally filed	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Copy of specification on disk	<input checked="" type="checkbox"/>	<input type="checkbox"/>
PCT Request (PCT/RO/101)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
PCT Search Report (PCT/ISA/210) & Citations mentioned in Search Report	2	<input type="checkbox"/>
PCT International Preliminary Examination Report (PCT/IPEA/416+409)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Amended claims x 2	2	<input type="checkbox"/>
Assignment Form	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Declaration & Power of Attorney Form	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Form PCT/IB306 x 2	<input checked="" type="checkbox"/>	<input type="checkbox"/>



Morgan, Lewis & Bockius LLP  
1111 Pennsylvania Avenue, NW  
Washington, DC 20004  
Tel: 202.739.3000  
Fax: 202.739.3001  
www.morganlewis.com

**Morgan Lewis**  
C O U N S E L O R S   A T   L A W

**Paul N. Kokulis**  
(202) 739-5455  
[pkokulis@morganlewis.com](mailto:pkokulis@morganlewis.com)

April 24, 2006

**VIA AIR MAIL**

Ms. Gail Shepherd  
Procedural Law Unit  
Intellectual Property Group  
Fujifilm Imaging Colorants Limited  
P.O. Box 42 Hexagon Tower  
Blackley Manchester UK M9 8ZS

Re: National Stage Application  
International Application No.: PCT/GB2004/004186  
Inventor(s): David J. COTTRELL, et al.  
Title: PROCESS  
Your Reference: SMC 60622/UST  
Our Reference: 066079-5128

Dear Gail:

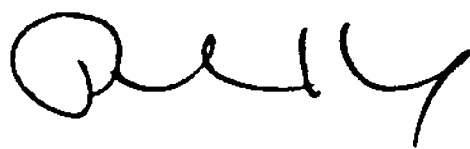
Referring to your letter of April 11th, this will advise that the above application was filed today, **April 24, 2006**. Copies of the as-filed papers including transmittal papers, preliminary amendment, disclosure statement, and PTO-1449 are enclosed for your files.

We look forward to receiving the signed declaration and assignment for filing.

Our debit note will follow.

With best regards.

Sincerely,



Paul N. Kokulis

PNK/dmw  
Enclosures/Attachments

File.  
**FUJIFILM IMAGING COLORANTS LIMITED**

PO BOX 42 HEXAGON TOWER  
BLACKLEY MANCHESTER UK M9 8ZS  
TEL: +44 (0)161 740 1460  
FAX: +44 (0)161 795 6005  
www.fujifilmimagingcolorants.com

**BY RECORDED DELIVERY**

David Cottrell  
16 Linksway  
Upton-by-Chester  
Cheshire  
CH2 1EA

Our Ref:  
AJC  
SMC 60622/UST

Direct Line:  
0161 721 2239

Direct Fax:  
0161 721 5801

E-mail:  
amanda.collier@fujifilmic.com

Date:  
21 April 2006

Dear David

**Case Reference: SMC 60622/UST**

**Title: Process for etching metal and alloy surfaces**

The above case, for which you are an inventor, has entered into the National Phase. A copy of the published specification is enclosed for your retention.

Please could you execute the enclosed Assignment and Declaration/Power of Attorney forms using blue ink and return them to me in the stamped addressed envelope provided by 15 May 2006.

It would be greatly appreciated if you would email me to let me know that you have received the forms.

If you require any assistance please do not hesitate to contact me.

Kind regards.

Yours faithfully

Amanda J. Collier  
Intellectual Property Group

Enc.

SMC 60622/UST

**COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY**U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

ATTORNEY DOCKET NO.:

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Process for etching metal and alloy surfaces

The specification of which:

is attached hereto; or

was filed as United States application Serial No. \_\_\_\_ on \_\_\_\_ and was amended on \_\_\_\_ (if applicable); or

was filed as PCT International application Number PCT/GB2004/004186 on 01/10/2004 and was amended under PCT Article 19

On \_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office information which is material to the patentability of claims presented in this application in accordance with Title 37, Code of Federal Regulations Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate or Section 365(a) of any PCT International application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign applications(s) for patent or inventor's certificate or any PCT International application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

**PRIOR FOREIGN APPLICATION(S):**

COUNTRY (If PCT, indicate PCT)	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED
United Kingdom	0324947.1	25/10/2003	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

SMC 60622/UST

<b>Combined Declaration for Patent Application and Power of Attorney - (Continued)</b> (Includes Reference to PCT International Applications) <b>ATTORNEY DOCKET NO.:</b> -					
I hereby claim the benefits under Title 35, United States Code Section 119(e) of any United States provisional application(s) listed below.					
<b>U.S. PROVISIONAL APPLICATIONS</b>					
<b>U.S. PROVISIONAL APPLICATION NO.:</b>			<b>U.S. FILING DATE:</b>		
I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) or Section 365(c) of any PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to the patentability of claims presented in this application in accordance with Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:					
<b>PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT:</b>					
<b>U.S. OR PCT INTERNATIONAL APPLICATIONS</b>		<b>STATUS (Check One)</b>			
<b>APPLICATION NO.</b>	<b>FILING DATE</b>	<b>PATENTED</b>	<b>PENDING</b>	<b>ABANDONED</b>	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>POWER OF ATTORNEY:</b> As a named inventor, I hereby appoint the registered practitioners of Morgan, Lewis & Bockius LLP included in the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and direct that all correspondence be addressed to that Customer Number.  Customer Number: 09629   Direct Telephone Calls To:  <div style="text-align: center; margin-top: 10px;"><b>202-739-3000</b></div>					

SMC 60622/UST

Combined Declaration for Patent Application and Power of Attorney - (Continued) (Includes Reference to PCT International Applications) ATTORNEY DOCKET NO.:		
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.		
FULL NAME OF SOLE OR FIRST INVENTOR	COTTRELL, David John	
RESIDENCE & CITIZENSHIP	United Kingdom	COUNTRY OF United Kingdom CITIZENSHIP
POST OFFICE ADDRESS	PO Box 42, Hexagon Tower, Blackley, Manchester M9 8ZS, United Kingdom	
FIRST OR SOLE INVENTOR'S SIGNATURE	DATE	

Sign  
dateListing of Inventors Continued on attached page(s): ☐ Yes ☐ No

SMC 60622/UST

Please return signed/recorded to:  
MORGAN LEWIS & BOCKIUS LLP  
1111 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004

Attorney Docket: \_\_\_\_\_

**ASSIGNMENT**

WHEREAS, the undersigned, to wit:

COTTRELL, David John

(hereinafter ASSIGNOR), has made an invention entitled:

Process for etching metal and alloy surfaces

for which an application for Letters Patent of the United States

\_\_\_\_\_ was executed even date herewith and is about to be filed in the United States Patent and Trademark Office;

X was filed as International Application No. PCT/GB2004/004186 on 01/10/2004

AND WHEREAS Fujifilm Imaging Colorants Limited (hereinafter ASSIGNEE), duly organized and existing under the laws of England and Wales and having its principal office and place of business at PO Box 42, Hexagon Tower, Blackley, Manchester, M9 8ZS, United Kingdom desires to acquire an interest therein;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the said ASSIGNOR does hereby sell, assign and transfer unto ASSIGNEE, its successors, assigns and legal representatives, the full and exclusive right, title and interest to the said invention in the United States and all foreign countries, as described in the aforesaid application, and to the said application and to all continuations, divisions, reissues and substitutes of said application, together with the right of priority under the International Convention for the Protection of Industrial Property, Inter-American Convention Relating to Patents, Designs and Industrial Models, and any other international agreements to which the United States of America adheres, and ASSIGNOR hereby authorizes and requests the Commissioner of Patents to issue said Letters Patent to ASSIGNEE, for its interest as ASSIGNEE, its successors, assigns and legal representatives.

AND ASSIGNOR hereby agrees to execute any papers requested by ASSIGNEE, its successors, assigns and legal representatives, deemed essential to ASSIGNEE's full protection and title in and to the invention hereby transferred.

ASSIGNOR furthermore agrees upon request of said ASSIGNEE, and without further remuneration, to execute any and all papers desired by said ASSIGNEE for the filing and granting of foreign applications and the perfecting of title thereto in said ASSIGNEE.

The undersigned hereby authorizes Morgan Lewis & Bockius LLP of the above address to insert hereon any further identification necessary or desirable for recordation of this document.



SMC 60622/UST

Executed on the date below indicated:

✓  
Inventor: COTTRELL, David John

Date: \_\_\_\_\_

Witnesses:

1. \_\_\_\_\_

2. \_\_\_\_\_

Sign & date  
before 2  
witnesses

**FUJIFILM IMAGING COLORANTS LIMITED**

PO BOX 42 HEXAGON TOWER  
BLACKLEY MANCHESTER UK M9 8ZS  
TEL: +44 (0)161 740 1460  
FAX: +44 (0)161 795 6005  
www.fujifilmimagingcolorants.com

Morgan, Lewis and Bockius  
1111 Pennsylvania Avenue, NW  
Washington, DC 20004  
USA

**BY DIRECT COURIER**

Our Ref:  
AJC  
SMC 60622/UST

Direct Line:  
0161 721 2239

Direct Fax:  
0161 721 5801

E-mail:  
amanda.collier@fujifilmic.com

Date:  
11 May 2006

Dear Sirs

**FOLLOW-UP DOCUMENTS FOR PCT CHAPTER II APPLICATION**  
**FUJIFILM CASE SMC 60622/UST**  
**YOUR REF: 066079-5128**

Further to our letter of 11 April 2006 please find attached a follow-up document for the PCT Chapter II application filed in USA. Please acknowledge receipt by **FAXING** a copy of this letter back to us **IMMEDIATELY** at: (0)161 721 5801.

Applicants : Fujifilm Imaging Colorants Limited  
Inventors : COTTRELL, David John; JAMES, Mark Robert  
Title : Process for etching metal and alloy surfaces

Filing Details :

**Country**  
United Kingdom

**PCT Application No.**  
PCT/GB2004/004186

**First Priority Date**  
25/10/2003

Please note: We are still awaiting the return of the Assignment and Declaration from David Cottrell. We will forward these documents to you as soon as we receive them.

Yours faithfully  
for Fujifilm Imaging Colorants Limited

Amanda J. Collier  
Procedural Law Unit

Enclosures

Assignment  
Declaration and POA

66079-5128  
**DOCKETED**  
By W Date 5/22/06

**RECEIVED**

MAY 22 2006

MORGAN, LEWIS & BOCKIUS LLP

ACKNOWLEDGEMENT  
MORGAN, LEWIS & BOCKIUS LLP  
RECEIPT ACKNOWLEDGEMENT  
BY: PSL DATE 5-22-06

Please return signed/recorded to:  
MORGAN LEWIS & BOCKIUS LLP  
1111 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004

Attorney Docket: \_\_\_\_\_

### ASSIGNMENT

WHEREAS, the undersigned, to wit:

JAMES, Mark Robert

(hereinafter ASSIGNOR), has made an invention entitled:

Process for etching metal and alloy surfaces

for which an application for Letters Patent of the United States

\_\_\_\_\_ was executed even date herewith and is about to be filed in the United States Patent and Trademark Office;

X was filed as International Application No. PCT/GB2004/004186 on 01/10/2004

AND WHEREAS Fujifilm Imaging Colorants Limited (hereinafter ASSIGNEE), duly organized and existing under the laws of England and Wales and having its principal office and place of business at PO Box 42, Hexagon Tower, Blackley, Manchester, M9 8ZS, United Kingdom desires to acquire an interest therein;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the said ASSIGNOR does hereby sell, assign and transfer unto ASSIGNEE, its successors, assigns and legal representatives, the full and exclusive right, title and interest to the said invention in the United States and all foreign countries, as described in the aforesaid application, and to the said application and to all continuations, divisions, reissues and substitutes of said application, together with the right of priority under the International Convention for the Protection of Industrial Property, Inter-American Convention Relating to Patents, Designs and Industrial Models, and any other international agreements to which the United States of America adheres, and ASSIGNOR hereby authorizes and requests the Commissioner of Patents to issue said Letters Patent to ASSIGNEE, for its interest as ASSIGNEE, its successors, assigns and legal representatives.

AND ASSIGNOR hereby agrees to execute any papers requested by ASSIGNEE, its successors, assigns and legal representatives, deemed essential to ASSIGNEE's full protection and title in and to the invention hereby transferred.

ASSIGNOR furthermore agrees upon request of said ASSIGNEE, and without further remuneration, to execute any and all papers desired by said ASSIGNEE for the filing and granting of foreign applications and the perfecting of title thereto in said ASSIGNEE.

The undersigned hereby authorizes Morgan Lewis & Bockius LLP of the above address to insert hereon any further identification necessary or desirable for recordation of this document.

Executed on the date below indicated:



Inventor: JAMES, Mark Robert

Date: x 28 April 2006

Witnesses:

1. x D. C. Cuth

2. x J. K. K. K.

**COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY**U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

ATTORNEY DOCKET NO.: -

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Process for etching metal and alloy surfaces

The specification of which:

is attached hereto; or

was filed as United States application Serial No. \_\_\_\_ on \_\_\_\_ and was amended on \_\_\_\_ (if applicable); or

was filed as PCT international application Number PCT/GB2004/004186 on 01/10/2004 and was amended under PCT Article 19

On \_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office information which is material to the patentability of claims presented in this application in accordance with Title 37, Code of Federal Regulations Section 1.56.


I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate or Section 365(a) of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign applications(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

**PRIOR FOREIGN APPLICATION(S):**

COUNTRY (if PCT, indicate PCT)	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED
United Kingdom	0324947.1	25/10/2003	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

<b>Combined Declaration for Patent Application and Power of Attorney - (Continued)</b> (includes Reference to PCT International Applications) <b>ATTORNEY DOCKET NO.:</b> -				
I hereby claim the benefits under Title 35, United States Code Section 119(e) of any United States provisional application(s) listed below.				
<b>U.S. PROVISIONAL APPLICATIONS</b>				
<b>U.S. PROVISIONAL APPLICATION NO.</b>		<b>U.S. FILING DATE:</b>		
I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) or Section 365(c) of any PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to the patentability of claims presented in this application in accordance with Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:				
<b>PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT:</b>				
<b>U.S. OR PCT INTERNATIONAL APPLICATIONS</b>		<b>STATUS (Check One)</b>		
<b>APPLICATION NO.</b>	<b>FILING DATE</b>	<b>PATENTED</b>	<b>PENDING</b>	<b>ABANDONED</b>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><b>POWER OF ATTORNEY:</b> As a named inventor, I hereby appoint the registered practitioners of Morgan, Lewis &amp; Bockius LLP included in the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and direct that all correspondence be addressed to that Customer Number.</p> <p>Customer Number: <b>09629</b></p> <p>Direct Telephone Calls To:</p> <p style="text-align: center;"><b>202-739-3000</b></p>				



Combined Declaration for Patent Application and Power of Attorney - (Continued) (includes Reference to PCT International Applications) ATTORNEY DOCKET NO.: -		
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.		
FULL NAME OF SOLE OR FIRST INVENTOR	JAMES, Mark Robert	
RESIDENCE & CITIZENSHIP	United Kingdom	COUNTRY OF United Kingdom CITIZENSHIP
POST OFFICE ADDRESS	PO Box 42, Hexagon Tower, Blackley, Manchester M9 8ZS, United Kingdom	
FIRST OR SOLE INVENTOR'S SIGNATURE	DATE	
	25 April 2006	

Listing of Inventors Continued on attached page(s): ☐ Yes ☐ No

**FUJIFILM IMAGING COLORANTS LIMITED**

PO BOX 42 HEXAGON TOWER  
BLACKLEY MANCHESTER UK M9 8ZS  
TEL: +44 (0)161 740 1460  
FAX: +44 (0)161 785 6005  
[www.fujifilmimagingcolorants.com](http://www.fujifilmimagingcolorants.com)

**BY RECORDED DELIVERY**

David Cottrell  
16 Linksway  
Upton-by-Chester  
Cheshire  
CH2 1EA

Our Ref:  
AJC  
SMC 60622/UST

Direct Line:  
0161 721 2239

Direct Fax:  
0161 721 5801

E-mail:  
[amanda.collier@fujifilmic.com](mailto:amanda.collier@fujifilmic.com)

Date:  
7 June 2006

Dear David

**Case Reference: SMC 60622/UST**  
**Title: Process for etching metal and alloy surfaces**

The above case, for which you are an inventor, has entered into the National Phase. A copy of the published specification is enclosed for your retention.

On 21 April 2006 I sent you a letter enclosing forms for signature relating to the abovementioned case. I have not yet received the signed forms and I am enclosing herewith a duplicate copy. It would be greatly appreciated if you would email me ([amanda.collier@fujifilmic.com](mailto:amanda.collier@fujifilmic.com)) to let me know that you have received the forms.

Please would you execute the enclosed Assignment and Declaration/Power of Attorney forms using blue ink and return them to me in the stamped addressed envelope provided as soon as possible.

If you require any assistance please do not hesitate to contact me.

Kind regards,

Yours faithfully

Amanda J. Collier  
Intellectual Property Group

Enc.

**FUJIFILM IMAGING COLORANTS LIMITED**

PO BOX 42 HEXAGON TOWER  
BLACKLEY MANCHESTER UK M9 8ZS  
TEL: +44 (0)161 740 1480  
FAX: +44 (0)161 795 6005  
[www.fujifilmimagingcolorants.com](http://www.fujifilmimagingcolorants.com)

**BY RECORDED DELIVERY**

David Cottrell  
12 Linksway  
Upton-by-Chester  
Chester  
CH2 1EA

Our Ref:  
AJC  
SMC 60622/UST

Direct Line:  
0161 721 2239

Direct Fax:  
0161 721 5801

E-mail:  
[amanda.collier@fujifilmic.com](mailto:amanda.collier@fujifilmic.com)

Date:  
29 June 2006

Dear David

**Case Reference: SMC 60622/UST**

**Title: Process for etching metal and alloy surfaces**

The above case, for which you are an inventor, has entered into the National Phase. A copy of the published specification is enclosed for your retention.

Please could you execute the enclosed Assignment and Declaration/Power of Attorney forms using blue ink and return them to me in the stamped addressed envelope provided by 14 July 2006.

It would be greatly appreciated if you would email me ([amanda.collier@fujifilmic.com](mailto:amanda.collier@fujifilmic.com)) to let me know that you have received the forms.

If you require any assistance please do not hesitate to contact me.

Kind regards.

Yours sincerely

Amanda J. Collier  
Intellectual Property Group

Enc.



## FUJIFILM IMAGING COLORANTS LIMITED

PO BOX 42 HEXAGON TOWER  
BLACKLEY MANCHESTER UK M9 8ZS  
TEL: +44 (0)161 740 1460  
FAX: +44 (0)161 795 6005  
www.fujifilmimagingcolorants.com

## BY RECORDED DELIVERY

David Cottrell  
12 Linksway  
Upton-by-Chester  
Chester  
CH2 1EA

Our Ref:  
AJC  
SMC 60622/UST

Direct Line:  
0161 721 2239

Direct Fax:  
0161 721 5801

E-mail:  
amanda.collier@fujifilmic.com

Date:  
28 July 2006

Dear David

Case Reference: SMC 60622/UST  
Title: Process for etching metal and alloy surfaces

The above case, for which you are an inventor, has entered into the National Phase.

On the 29 June 2006 I sent you a letter regarding the above, enclosing a copy of the published specification, forms for signature and a stamped addressed envelope for their return. Please could you sign and return the forms as soon as possible so that I can forward them to our overseas agent.

It would be greatly appreciated if you would email me (amanda.collier@fujifilmic.com) to let me know that you have received the forms.

If you require any assistance please do not hesitate to contact me.

Kind regards.

Yours sincerely

Amanda J. Collier  
Intellectual Property Group



## FUJIFILM IMAGING COLORANTS LIMITED

PO BOX 42 HEXAGON TOWER  
BLACKLEY MANCHESTER UK M9 8ZS  
TEL: +44 (0)161 740 1460  
FAX: +44 (0)161 795 6005  
www.fujifilmimagingcolorants.com

David Cottrell  
12 Linksway  
Upton-by-Chester  
Chester  
CH2 1EA

Our Ref:  
AJC  
SMC 60622/UST

Direct Line:  
0161 721 2239

Direct Fax:  
0161 721 5801

E-mail:  
amanda.collier@fujifilmic.com

Date:  
23 August 2006

Dear David

Case Reference: SMC 60622/UST  
Title: Process for etching metal and alloy surfaces

The above case, for which you are an inventor, has entered into the National Phase.

On the 29 June 2006 I sent you a letter regarding the above, enclosing a copy of the published specification, forms for signature and a stamped addressed envelope for their return (which was delivered and signed for on the 30 June 2006). I also sent a further reminder letter on the 28 July 2006.

Unfortunately, I have still not received the executed forms. I enclose a further set of forms, published specification and a stamped addressed envelope for their return.

These forms have now become an urgent matter and I urge you to please sign and return the forms as soon as possible so that I can forward them to our overseas agent.

Alternatively, if it is your intention to not sign the forms please sign where indicated on the bottom of this letter and return to me in the stamped addressed envelope provided.

Yours sincerely

Amanda J. Collier  
Intellectual Property Group

Enc.

I, David John Cottrell do not wish to sign any forms relating to the above case

.....  
Signature

.....  
Date

**Collier Amanda AJ**

---

**From:** david cottrell [david\_cottrell@hotmail.co.uk]  
**Sent:** 01 September 2006 15:09  
**To:** Collier Amanda AJ  
**Subject:** Patent SMC60622/UST

Dear Amanda

I have now got the appropriate letters you supplied, but I don't live there or indeed in England now. In terms of the issue I have never worked for Fujifilm and don't understand the implications of signing the form. What legal advice I have had indicates I should not sign it. The patent concerned was developed a few weeks before I was made redundant after 27 years service. At this time I was told Avecia had no interest in this area hence I was no longer required so I don't see what the issue is.

Best regards Dave

and sorry for the hassle.

---

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<http://www.msn.co.uk/newsletters>





## FUJIFILM IMAGING COLORANTS LIMITED

PO BOX 42 HEXAGON TOWER  
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TEL: +44 (0)161 740 1460  
FAX: +44 (0)161 793 8003  
www.fujifilmimagingcolorants.com

Morgan Lewis & Bockius  
1111 Pennsylvania Avenue NW  
Washington DC 20004  
USA

FAO Paul N Kokulis

Our Ref:  
GLE/JAH  
SMC 60622 UST

Direct Line:  
0161 721 1853

Direct Fax:  
0161 721 5801

E-mail:  
gordon.ellis@fujifilmic.com

Date:  
7 September 2006

Dear Sirs

**YOUR REF: 066079-5128**  
**FUJIFILM CASE SMC 60622 UST**

Re: US National Stage Application Corresponding to International Patent Application No.  
PCT/GB2004 004186

Further to our letter dated 11 May 2006 we have made several attempts by recorded mail to obtain a signed Assignment and Declaration form from one of the inventors, namely David Cottrell. Copies of the documents related to the attempts are enclosed.

Unfortunately no forms have been signed and returned.

A recent e-mail sent by Mr Cottrell indicates that he is unwilling to ever sign the forms. A copy of the e-mail is enclosed.

Please could you take the appropriate steps in the present circumstances to have Fujifilm Imaging Colorants Limited recorded as the Assignee of David Cottrell's interest in the patent.

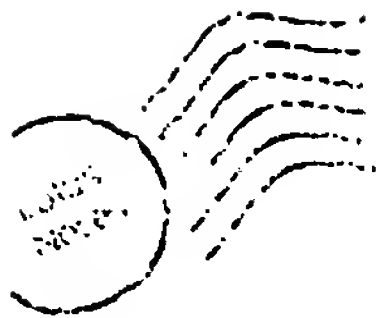
For your information, the invention was made in 2003 whilst Mr Cottrell was employed as a researcher by Avecia Limited. His contract of employment, as well as UK law governing employee's inventions, specifies that his interest in the inventions shall belong to the Company. Subsequently, in 2005, Avecia Limited assigned its interest to Avecia Inkjet Limited, which changed its name to Fujifilm Imaging Colorants Limited in 2006.

Please let us know if any further information is needed or if there are any upcoming deadlines which need to be met.

Yours faithfully

Gordon Ellis  
Trainee Patent Attorney  
Intellectual Property Group

Encs



Paul N. Kokulis/WA/MLBLaw  
Sent by: Michele A. Hunt

01/04/2007 02:05 PM

To amanda.collier@fujifilmic.com

cc gail.shepherd@fujifilmic.com

bcc

Subject U.S. Patent Appln. No. 10/576,936 (Your Ref: SMC  
60622/UST) (Our Ref: 066079-5128)

Dear Amanda:

We now have the Notice to File Missing Parts for this application (due date **January 30, 2007**) and note that we do not seem to have received the declaration and assignment signed by David Cottrell. We have these papers signed by Mark James received with your letter of May 11, 2006 which noted that you would be sending us the papers signed by Mr. Cottrell.

We look forward to your comments and, if there are any questions, please let us know.

Kind regards and our best for the New Year.

Paul N. Kokulis  
Morgan, Lewis & Bockius LLP  
1111 Pennsylvania Avenue NW  
Washington, DC 20004  
PKokulis@morganlewis.com  
202.739.5455 (voice)  
202.739.3001 (fax)



"Collier Amanda AJ"  
<amanda.collier@fujifilmic.co  
m>

01/05/2007 06:34 AM

To "pkokulis@morganlewis.com"  
<pkokulis@morganlewis.com>

cc

bcc

Subject RE: U.S. Patent Appln. No. 10/576,936 (Your Ref: SMC  
60622/UST) ( Our Ref: 066079-5128)

History:

✉ This message has been replied to.

Dear Paul

U.S. Patent Appln. No. 10/576,936  
Our Ref: SMC 60622/UST  
Your Ref: 066079-5128

Happy New Year! Thank you for your email.

Unfortunately I never received any signed forms from Mr.Cottrell. Gordon Ellis sent you a letter, by direct courier, dated 7 September 2006 (copy attached), explaining the situation, requesting advice and enclosing copies of letters attempting to contact Mr.Cottrell. Also enclosed was an eventual email I received from Mr.Cottrell on 1 September 2006 (copy attached) basically indicating that he would not sign any forms.

Also, on my return to work this week, after our Christmas break, I have been informed that Mr.Cottrell passed away just before Christmas.

Please advise!

Best regards

Amanda J.Collier  
Intellectual Property Group  
Fujifilm Imaging Colorants Limited

-----Original Message-----

From: mhuntt@morganlewis.com [mailto:mhuntt@morganlewis.com] On Behalf Of  
pkokulis@morganlewis.com  
Sent: 04 January 2007 20:06  
To: Collier Amanda AJ  
Cc: Shepherd Gail G  
Subject: U.S. Patent Appln. No. 10/576,936 (Your Ref: SMC 60622/UST) (  
Our Ref: 066079-5128)

Dear Amanda:

We now have the Notice to File Missing Parts for this application (due date January 30, 2007) and note that we do not seem to have received the declaration and assignment signed by David Cottrell. We have these papers signed by Mark James received with your letter of May 11, 2006 which noted that you would be sending us the papers signed by Mr. Cottrell.

We look forward to your comments and, if there are any questions, please let us know.

Kind regards and our best for the New Year.

Paul N. Kokulis  
Morgan, Lewis & Bockius LLP  
1111 Pennsylvania Avenue NW  
Washington, DC 20004  
PKokulis@morganlewis.com  
202.739.5455 (voice)  
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Fax Number:	9-001 202 739 3001 (Speed dial 116)	Telephone:	0161 721 2239
Date:	5 January 2007	Email:	amanda.collier@fujifilmic.com
Time:	5:02 PM	Web Address:	www.fujifilmimagingcolorants.com
No of pages:	14 (Fourteen) Including fax cover sheet	Our ref:	SMC 60622/UST

Dear Paul

**U.S. Patent Appln. No. 10/576,936**  
**Your Ref: 066079-5128**

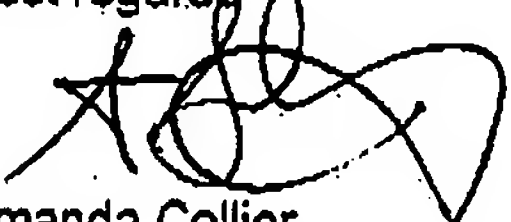
Further to your telephone conversation with Peter Parlett, I attach all the letters I sent to Mr. Cottrell (including a copy of the forms for signature) - you will notice that there are two copies of the letter dated 23 August 2006, this is because I sent one copy by Recorded Delivery and one copy by normal post.

Also attached is a copy of Mr.Cottrell's email to me on the 1 September 2006 and a copy of Gordon Ellis' letter of 7 September 2006.

If you require any further information from me please do not hesitate to contact me.

Thank you for your help with this matter.

Best regards



Amanda Collier  
Intellectual Property Group

**PLEASE RESPOND TO THE DEDICATED INTELLECTUAL PROPERTY GROUP**  
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*DAK*  
*SPW*

PATENT  
ATTORNEY DOCKET NO. 066079-5128

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
Inventors: Mark R. JAMES *et al.* )  
Application No.: 10/576,936 ) Group Art Unit: unassigned  
Filed: April 24, 2006 ) Examiner: unassigned  
For: PROCESS )

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Alexandria, VA 22314

Sir:

**AMENDMENT TRANSMITTAL FORM**

1. Transmitted herewith is a Petition under 37 C.F.R. § 1.47 in response to the Notice to File Missing Parts dated November 30, 2006 in connection with the above application.
2. Additional Documents:
3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.
- ☐ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:



<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two months	\$ 450.00	\$ 225.00
<input type="checkbox"/> three months	\$ 1,020.00	\$ 510.00
<input type="checkbox"/> four months	\$ 1,590.00	\$ 795.00
<input type="checkbox"/> five months	\$ 2,160.00	\$1,080.00

Extension of time fee due with this request: \$\_\_\_\_\_.

If an additional extension of time is required, please consider this a Petition therefor.

- ☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

4. Fee Calculation (37 C.F.R. § 1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))		minus	20	0	x \$50 each=	+ \$0
Independent Claims (37 C.F.R. §1.16(b))		minus	3	0	x \$200 each=	+ \$0
<input type="checkbox"/> First presentation of Multiple dependent claim(s)					\$360.00	+ \$0
SUB-TOTAL =						\$0
Reduction by 2 for filing by a small entity						- \$0
TOTAL FEE =						\$0

5. Constructive Petition

- ☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

6. Fee Payment

- [ X ] The Commissioner is hereby authorized to charge **\$200.00 (Petition)** to Deposit Account 50-0310.
- [X] The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 CFR § 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**



By:

Paul N. Kokulis

Reg. No. 16,773

Dated: January 19, 2007

**CUSTOMER NO. 09629**

**MORGAN, LEWIS & BOCKIUS LLP**

1111 Pennsylvania Avenue, NW

Washington, D.C. 20004

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